



Appeal Decision

Site visit made on 12 September 2025

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th September 2025

Appeal Ref: APP/C3810/W/25/3365661

Land South of Summer Lane, Pagham PO21 4NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Northgate Properties Ltd against the decision of Arun District Council.
 - The application Ref is P/15/24/OUT.
 - The development proposed is described as a residential development of up to 120 dwellings including means of access into the site (not internal roads), with all other matters (relating to appearance, landscaping, scale and layout) reserved.
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Decision

1. The appeal is allowed, and outline planning permission is granted for a residential development of up to 120 dwellings including means of access into the site (not internal roads), with all other matters (relating to appearance, landscaping, scale and layout) reserved at Land South of Summer Lane, Pagham PO21 4NZ in accordance with the terms of the application, Ref P/15/24/OUT, subject to the conditions in the attached schedule.

Preliminary Matters

2. The planning application was submitted in outline form with only access for consideration. Matters relating to appearance, landscaping, layout and scale are reserved for future determination. The appellant has provided a masterplan which I have treated as illustrative for the purposes of this appeal.
3. The appellant has also provided a completed planning obligation (the obligation) pursuant to s106 of the Town and Country Planning Act 1990 (as amended) to overcome reasons for refusal 2, 3, 4, 5 and 6. The obligation has been entered into by the appellant and the Council, which I will consider later in this decision letter.

Main Issue

4. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site forms an agricultural field that is devoid of development. The proposal before me seeks to erect up to 120 dwellings on the appeal site, of which 30% would be affordable. To the east of the site is a further field that benefits from planning permission for a development of some 350 homes.
6. The Council's first reason for refusal relates solely to the density of the development which it states would be in excess of that as set out within the Arun District Design Guide Supplementary Planning Document, January 2021 (the ADDG). Consequently, this unacceptable density would be to the detriment of the character and appearance of the area of the edge of settlement site. The matter for consideration at outline stage is the access into the site, which the Council does not raise an objection to. In addition, the

Council has not objected to the principle of residential development and has approved an application for 110 dwellings at the site which remains extant (the extant permission¹).

7. Whilst there is a debate regarding which range of densities should be applied to the site, it has to be accepted that the ADDG states that the range set out at Figure 77 should be read as approximate ranges and each scheme is to be assessed based on the context and character of the development of the individual site. In addition, Policy D DM1 of the Arun Local Plan 2011 – 2031 (the Local Plan) also expects the density of new housing to make efficient use of the land, with higher density developments being appropriate in the most accessible locations. I note from the Officer's report that the development would provide links onto Summer Lane, suitable for pedestrians and cyclists where they will be able to reach new facilities within the adjacent strategic site. Moreover, the appellant details that the site has a bus link, will be within a 5 minute walk of the school, local centre, and village hall proposed on the adjoining site, as well as a 10 minute walk to various convenience, food and drink services. Thus, it would not be unreasonable to suggest that the site is within an accessible location.
8. Additionally, the outline application before me seeks a development of '*up to 120 dwellings*' which means that at the reserved matters stage, the Council would assess whether up to 120 dwellings would be acceptable or not. This is the maximum number of dwellings that are going to be built, even if they might not be. Thus, it is quite feasible for the Council to reject 120 dwellings across the site and request a lower number at reserved matters stage. The appellant has provided examples of where this has indeed occurred.
9. That said, the proposed development would introduce 10 more units across the site than permitted by the extant permission. Although it is evident that the character of the area will undoubtedly change as a result of these developments, it would be for the Council to decide at reserved matters stage whether this minor increase from 19.7 dwellings per hectare (dph) to 21.6 dph would result in material harm to the overall character and appearance of the area, taking into account any other constraints the site may possess. However, it is notable that other developments have been granted planning permission in the immediate vicinity of the appeal site, with the Council attempting to address its housing shortfall whilst seeking to make more efficient use of the land. The appellant has provided details of the densities for some of these sites, which appear to exceed the range set out in the ADDG.
10. Consequently, the layout plan is for illustrative purposes only, and an alternative layout could be agreed to accommodate a scheme of 120 dwellings that is considered suitable for the site, the exact layout of which would be considered at reserved matters stage. Thus, the development would not be in conflict with Policy D DM1 of the Local Plan and the National Planning Policy Framework (the Framework) which seek, amongst other things, to make efficient use of land taking into account the density of the site and its surroundings.

Other Matters

11. The planning obligation provided by the appellant seeks to address reasons for refusal 2, 3, 4, 5 and 6 relating to financial contributions towards accessible natural open green space to offset the impact of the development on the Pagham Harbour Special Protection Area, future monitoring of a travel plan, transporting the costs of secondary school pupils, and the future monitoring of the proposed on-site Biodiversity Net Gain. The obligation will also secure affordable housing across the site.
12. Given the policy requirements and the infrastructure needs arising from the development, I am satisfied that all of the above obligations are necessary to make the development

¹ P/35/24/OUT dated 16 April 2025

acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. They would accord with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and the Framework. Therefore, I can take all of the proposed obligations into account as part of my decision.

13. I note the concerns raised by a local resident stating that the development would place an additional burden on local services. However, I have not been provided with any substantive evidence that those services could not cope with the additional residents.

Conditions

14. The Council has suggested a number of conditions that I have considered in accordance with the Framework and the Planning Practice Guidance. It is necessary and reasonable that some of the information required by these conditions be provided prior to the commencement of development, as these are matters which cannot properly or reasonably be addressed following the commencement of the development. In instances I have amended the wording of the conditions in the interest of precision and clarity, taking into account the revisions suggested by the appellant.
15. In addition to the standard commencement condition, it is necessary to define the reserved matters and require their approval (1 & 2). For clarity, a condition defining the access arrangements is also required (3). In order to secure the generation of on-site energy generation, a condition requiring a minimum of 10% of energy from decentralised, renewable, or low carbon energy is required (4). In the interest of habitat protection and enhancements, a condition is required to ensure that the development is carried out in accordance with the submitted Ecological Assessment (5).
16. In the interest of the visual amenity and the quality of the environment, landscaping and layout details (6), and the scale and appearance of the development (7) are to be submitted to and agreed with the Council. To ensure that the public open space (POS) is provided, the layout and landscape details of the POS and play area shall be agreed with the Council (8). In addition, to ensure that occupiers can remain in their homes, details of how the proposed development will meet Building Regulation standards M4(2) and M4(3) and the Council's guidance note on accommodation for older people and people with disabilities (9).
17. In the interest of visual amenity, details of any temporary sales areas shall be agreed with the Council (10). To ensure that flood risk is addressed at the site, a scheme for the disposal of surface water (11), surface water drainage (12), surface water run-off (13), and foul water drainage systems (14) shall be agreed with the Council. As the access road will cross over a ditch which is wet at certain times, details of how the access will cross this ditch will be submitted to and approved by the Council (15).
18. In the interest of the living conditions of nearby residents and future occupiers of the proposed dwellings, a Construction and Environmental Plan will be agreed with the Council and fully implemented (16). To protect the best and most versatile soils, a Soil Resource Plan shall be submitted and agreed with the Council (17). To ensure that measures are in place for the employment of local crafts people and apprentices during the development, an Employment and Skills Plan shall be submitted to and agreed with the Council in writing (18). In the interest of human safety, details of fire hydrants across the site shall be provided for the Council to agree in writing (19).
19. In the interest of biodiversity, details of bat tubes, boxes and/or bricks (20), bee bricks/invertebrate hotels (21), and nesting bricks (22) shall be agreed in writing with the Council. In the interest of road safety, road, foot, and cycle links to Summer Lane shall be provided in accordance with the approved plans (23). In addition, details of car parking serving the development (24), and roads, footways and casual parking areas (25) shall be

provided in accordance with the plans and details to be approved under the reserved matters application.

20. To promote sustainable transport, upon the occupation of each dwelling, the applicant shall implement the measures within the approved Residential Travel Plan (26). To safeguard the amenities of future residents, the applicant or developer shall ensure that infrastructure is implemented to allow for the highest available headline speed of broadband across the site (27).
21. In the interest of flood risk, the development shall be carried out in accordance with the water drainage scheme (28), and details of the maintenance of the surface water drainage systems shall be agreed in writing with the Council (29). To improve water usage and the sustainability of the dwellings, details of ensuring a maximum of 110 litres of water usage per person per day shall be agreed in writing with the Council (30). In the interest of human health, if during development contamination is found, the Council must be informed and a method statement provided setting out how the contamination will be dealt with (31). To ensure that the development delivers a biodiversity net gain, a Biodiversity Net Gain Plan shall be provided and agreed with the Council in writing (32).

Conclusion

22. Thus, having regard to the development plan when read as a whole and all other material considerations, the appeal is allowed.

Graham Wyatt

INSPECTOR

Schedule of Conditions

1. The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 2 years beginning with the date of this permission:
 1. Layout.
 2. Scale.
 3. Appearance.
 4. Landscaping.
2. The development hereby permitted shall be begun either before the expiration of 4 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
3. The development hereby approved shall be carried out in accordance with the following approved plans:
 1. Location Plan - Red Line Boundary Dwg 02 Rev P16.
 2. Proposed Access Arrangement Dwg 04.
 3. Summer Lane Pedestrian/Cycle Access Dwg 05.
 4. Proposed Pedestrian/Cycle Access with Summer Lane (North) Dwg 06.
 5. Proposed Access Arrangements with Horns Lane Dwg 18 Rev B; and
 6. SFRA Parameter Plan Dwg 2051 DLA XXX DR L 45 Rev 01.
4. The approved development shall achieve a minimum of 10% energy supply generation from the use of decentralised, renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF). Any physical features that are required as part of the works to serve each dwelling must be installed prior to the occupation of that dwelling and shall be thereafter permanently maintained in good working condition.
5. With the exception of bird/bat boxes, and insect boxes/hotels as covered by separate conditions, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Ecology Solutions, February 2024) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall supervise all activities, and works shall be carried out, in accordance with the approved details.
6. The landscape and layout details to be submitted for the development or any phase thereof pursuant to condition 1 (as applicable) shall include the following items:
 1. Details of all existing trees and hedgerows on the land indicating which are to be retained and which are to be removed. These required details are to include a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule', a 'Tree Constraints Plan', and in the event that a root protection area of any tree which is proposed for retention overlaps the development, then an 'Arboricultural Method Statement' and a 'Tree Protection Plan'. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted, or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the Local Planning Authority.

2. Full landscaping details including the use of native trees and compensatory planting on the basis of 2 trees/hedge units for every 1 lost.
3. The use of triple staggered native hedging along the open western site boundary to reflect the landscaping approved on the adjacent Church Barton reserved matters scheme.
4. A greater amount of Public Open Space than is policy compliant to ensure sufficient on-site mitigation to deter new residents accessing the Pagham Harbour SPA via footpaths in the area.
5. Details of the position, design, materials, height, and type of all boundary treatments to be provided. The boundary treatments shall be provided to each dwelling before the dwelling is occupied or in accordance with the approved phasing plan. Gaps shall be included at the bottom of the fences to allow movement of small mammals across the site. Development shall be carried out in accordance with the approved details and permanently retained in a useable condition thereafter.
6. Full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage). This submission should also cover new streetlighting if required. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) but also be designed to be sensitive to bats. The scheme shall include a bat friendly Lighting Plan. The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.
7. The layout, scale, and appearance details to be submitted for the development or any phase thereof pursuant to condition 1 (as applicable) shall include the following items:
 1. A scheme for the provision of facilities to enable the charging of electric vehicles in accordance with the Arun Parking Standards SPD to serve the approved dwellings. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with electric ducting provided to all other spaces where appropriate to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations applicable at the time (or any subsequent guidance). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.
 2. A detailed level survey of the site including existing and resulting ground levels and the slab levels of the buildings the subject of this approval.
 3. 5% of all parking provided as suitable for disabled persons. This must include a percentage of the proposed visitor parking spaces.

4. Full details of cycle storage including elevations where such is provided in separate buildings; and
 5. A colour schedule of the materials and finishes to be used for the external walls and roofs of the proposed buildings.
8. The layout and landscape details to be submitted pursuant to condition 1 shall include full details of the required public open space (POS) and play areas to include details of proposed management arrangements. The POS and play areas shall thereafter be implemented in accordance with the provision as agreed prior to occupation of the 61st dwelling and permanently retained thereafter. The approved management details shall be permanently adhered to.
9. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to condition 1 shall ensure that the scheme makes provision for accommodation to meet the Building Regulations Standards M4(2) and M4(3) in accordance with the Council's guidance note "Accommodation for Older People and People with Disabilities Guidance".
10. The layout, scale and appearance details referred to in Condition 1 shall include details of any temporary sales areas that may be required during the construction and marketing of the development. Such details shall include any temporary buildings or temporary changes to buildings and any temporary change to the development layout. The approved details shall be for a temporary period only ending on or before the date that the last dwelling on the site has been sold. The buildings or area shall be returned to their approved permanent appearance within 3 months of the date of the last building sold.
11. As part of the submission of each Reserved Matters application for the development of any phase thereof hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates (2.86 l/s for the 1 in 1 year event and 9.06 l/s for the 1 in 100 plus climate change event) as contained within section 5.3 of the Drainage Strategy (prepared by Ridge, dated June 2024, Rev. P05). The scheme shall be implemented in full in accordance with the approved details prior to first use of the development. The submitted details shall:
 1. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable drainage system which utilises source control features prior to site control features and the measures taken to prevent pollution of the receiving surface waters.
 2. Demonstrate that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration.
 3. Demonstrate that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes, safe, and does not impact any of proposed built development.
 4. Provide an exceedance plan for any storm event that exceeds the design standards of the surface water drainage SuDS system to ensure no built development is impacted.

12. Prior to the commencement of development of each phase for the development hereby permitted, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first occupation of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.
13. No development, including preparatory works, shall commence or any phase thereof until details and method statement of measures indicating how additional surface water run-off from the site within that phase will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. This should include the maintenance proposals during construction. The site works and construction phases shall thereafter be carried out in accordance with approved method statement, and the approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence for the relevant phase.
14. Before the development hereby permitted is commenced on any phase, details of the proposed foul drainage system for the phase shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance, if appropriate). Occupation of the development shall be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that waste water network capacity is available to adequately drain the development and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details of any phase or sub-phase.
15. No development authorised by this permission shall commence unless and until full details (including appropriate drawings) of how the new access road will cross the existing ditch on the eastern boundary have been submitted to and approved in writing by the Local Planning Authority. The access road crossing shall be built in accordance with the approved scheme and permanently retained so thereafter.
16. No development shall take place, (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until a Construction & Environmental Management Plan and accompanying Site Setup Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with National Highways, WSCC Highways, and the council's Environmental Health Officer as appropriate). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:
 1. The phased programme of construction works.
 2. The anticipated, number, frequency, types, and timing of vehicles used during construction (construction vehicles should avoid the strategic road network during the peak hours of 0800- 0900 and 1700-1800 where practicable).
 3. The preferred road routing for all construction traffic associated with the development.
 4. Provision of wheel washing facilities (details of their operation & location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders).

5. Details of street sweeping.
6. Details of a means of suppressing dust & dirt arising from the development.
7. A scheme for recycling/disposing of waste resulting from demolition and construction works (i.e., no burning permitted).
8. Details of all proposed external lighting to be used during construction (including location, height, type & direction of light sources and intensity of illumination).
9. Details of areas for the loading, unloading, parking, and turning of vehicles associated with the construction of the development.
10. Details of areas to be used for the storage of plant and materials associated with the development.
11. Details of the temporary construction site enclosure to be used throughout the course of construction (including access gates, decorative displays & facilities for public viewing, where appropriate).
12. Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
13. Details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works.
14. Details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage.
15. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s).
16. Details of pest control.

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

17. Development shall not commence on any phase, until a Soil Resource Plan has been submitted to and approved in writing by the Local Planning Authority for the development of the phase. This shall set out how the best and most versatile soils on the site are to be protected during construction and then recycled/reused in the new development layout. The soil protection/mitigation measures shall be implemented as per the document and then permanently adhered to throughout the construction and development of the site.
18. Prior to commencement of development the applicant shall prepare and submit for approval in writing, an Employment and Skills Plan. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.
19. No development of any dwelling above damp-proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Prior to the first occupation of any dwelling forming part of the proposed development, the applicant/developer shall at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved locations to BS:750

standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

20. Details of bat tubes, bricks or boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any development of any dwelling above damp-proof course (DPC) level.

No less than 60 bat tubes or bricks shall be provided, and the details shall include the exact location, specification, and design of the habitats. The bat tubes, bricks or boxes shall be installed with the development prior to the first occupation of the building/s to which they form part or the first use of the space in which they are contained.

The bat tubes, bricks or boxes shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition thereafter.

21. Details of Bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority prior to any development of any dwelling above damp-proof course (DPC) level.

No less than 16 bee bricks in sunny locations and 16 invertebrate hotels shall be provided, and the details shall include the exact location, specification, and design of the habitats. Bee bricks and/or invertebrate hotels shall be installed with the development prior to the first occupation of the buildings to which they form part or the first use of the space in which they are contained.

The Bee bricks and/or invertebrate hotels shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition as such thereafter.

22. Details of integral nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than 60 integral universal nesting bricks shall be provided, and the details shall include the exact location, specification, and design of the bricks. The bricks shall be installed within the development prior to the first occupation of the building/s to which they form part or the first use of the space in which they are contained.

The nesting bricks shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition as such thereafter.

23. No part of the development shall be first occupied until such time as the access serving the adjacent development to the east, and the access included as part of this development (which it is shown to connect to) - including foot and cycle links to Summer Lane - have been constructed in accordance with the details shown on the approved drawings, including the recommendations contained in the associated Road Safety Audits.

24. No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with plans and details approved by the reserved matters permission. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

25. No part of the development shall be first occupied until the road(s), footways, and casual parking areas serving that part of the development have been constructed, surfaced, and drained in accordance with the plans and details as approved by the reserved matters permission and the discharge of relevant drainage conditions.
26. Upon the first occupation of each dwelling, the Applicant shall implement the measures incorporated within the approved Residential Travel Plan (ref 23106/TP/01/B, May 2024). The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.
27. Prior to the occupation of any dwelling on the development, the applicant or developer shall ensure that infrastructure is implemented to allow for the provision of the highest available headline speed of broadband provision to future occupants of that dwelling from a site-wide network provided as part of the initial highway works and in the construction of frontage thresholds to buildings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.
28. Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.
29. Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
30. No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, has been complied with for that dwelling and retained in perpetuity thereafter.
31. If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.
32. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to

have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

End.